

## Final Minutes of 3/9/04 Inspector Committee Meeting

### Inspector Committee

#### DSA Advisory Board

#### Minutes of Meeting

Tuesday, March 9, 2004

California Community Colleges Building  
1102 Q Street, 4th Floor, Conference Room 4001  
Sacramento, California

#### Committee Members Present

Dennis Shallenberger, Chair  
Stephanie Gonos, Vice Chair  
Paul Beyl  
Kennith Hall  
Art Ross  
Jim Ward

#### Staff Present

Stephan Castellanos, State Architect  
Jeff Enzler  
Conrad Lewis  
Dan Rasmussen  
Elena Tarailo  
John Vester

#### Committee Members Absent

Thomas Shih

#### Others Present

Dave Karina, inspector, Orange County

1 **I. Call to Order and Introductions**

2 Committee Chair Dennis Shallenberger called the meeting to order at 9:33 a.m. and  
3 participants introduced themselves.  
4

5 Mr. Shallenberger announced that effective March 19, Mr. John Vester would be serving as  
6 interim executive director of the DSA Advisory Board, taking the place of Mr. Chip Smith,  
7 who replaced Ms. Patricia Heerhartz. Mr. Shallenberger congratulated Mr. Vester on his  
8 appointment and wished him well.  
9

10 **II. Review of Minutes - 10/10/02 Meeting**

11 Mr. Shallenberger drew attention to the minutes of the October 10, 2002 meeting. Ms.  
12 Elena Tarailo noted the minutes had been approved by the DSA Advisory Board at its  
13 December 12, 2002 meeting.  
14

15 Mr. Shallenberger observed that the primary follow-up item from the October 10, 2002  
16 meeting was a long-term study of the entire DSA inspector/inspection program. He pointed  
17 out that the purpose of the Inspector Committee is to consider those issues.  
18

19 **III. Committee Purpose and Mission Statement**

20 Mr. Shallenberger recommended that the committee define its purpose and develop a  
21 mission statement. He noted the first committee meeting focused on identifying possible  
22 short-term solutions for the inspector shortage; the list of recommendations was approved  
23 at the second meeting and forwarded to the DSA Advisory Board.  
24

25 Recognizing that the committee serves at the convenience of the State Architect, Mr.  
26 Shallenberger observed that input from Mr. Stephan Castellanos would be helpful in  
27 defining the committee's purpose.  
28

29 Mr. Shallenberger stated that he viewed the committee's purpose as addressing issues of  
30 interest to DSA and the DSA Advisory Board pertaining to inspection, inspectors, the LEA

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1 lab program, and materials testing. Mr. Paul Beyl noted the concepts of quality assurance  
2 and quality control cover those areas. Mr. Jeff Enzler suggested referring to construction  
3 oversight.

4  
5 Ms. Tarailo proposed reviewing the mission statements developed by the other  
6 committees. She recommended keeping the mission statement simple and concise. Mr.  
7 Vester read sample mission statements.

8  
9 Committee members discussed the committee's role and eventually agreed on the  
10 following statement of purpose:

11 "The purpose of the Inspector Committee is to review quality assurance and  
12 quality control issues with regard to construction oversight that may come  
13 under the purview of the State Architect."  
14

15 **Mr. Jim Ward made a motion, seconded by Ms. Stephanie Gonos, to approve the**  
16 **mission statement as proposed. The motion was carried unanimously.**  
17

### **IV. Written Plan for Committee Action**

18 Mr. Shallenberger observed that many of the topics listed on the agenda are interrelated,  
19 and the elements of Item IV are duplicated in other agenda items. He proposed starting by  
20 identifying and prioritizing issues related to testing, training, and construction oversight.  
21  
22

23 Mr. Jeff Enzler suggested adding the laboratory testing program to the list of issues to be  
24 considered by the committee.  
25

26 Committee members decided to proceed with discussion of the four main issues.  
27

28 Mr. Paul Beyl acknowledged and expressed appreciation for the efforts of the DSA staff in  
29 creating the existing inspector testing and training program. He noted the current program  
30 is much better than what existed in the past.  
31

### **INSPECTOR TESTING ISSUES:**

### **V. Handling Complaints**

32  
33  
34 Mr. Shallenberger drew attention to the questions listed on the agenda under this item. He  
35 expressed his opinion that the Inspector Committee should not be the final arbitrator of  
36 disputes. Instead, he noted, the committee advises the DSA Advisory Board on relevant  
37 issues, and then, in turn, the Board provides advice to the State Architect.  
38  
39

40 Committee members agreed that the Inspector Committee lacks authority to make final  
41 decisions in resolving disputes.  
42

43 Ms. Tarailo reported that at its November 5 meeting, the Policies and Procedures  
44 Committee considered ways of streamlining the appeal process and simplifying the  
45 information on the DSA Web site. She said the Policies and Procedures Committee  
46 discussed the possibility of establishing ad hoc committees consisting of Board members  
47 with expertise in specific areas to hear appeals and make recommendations. She noted  
48 the current procedures call for decisions of the Board to go to the Department of General  
49 Services, and then on to the Building Standards Commission, but Attorney John Bakke  
50 recommended changing those rules to make the Board's decision final rather than referring  
51 matters to the Department of General Services.  
52

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1 Mr. Shallenberger commented that he and Mr. Beyl are members of a work group looking  
2 at lab issues. He noted the work group met once and discussed applicant qualifications  
3 and selection criteria.

4  
5 Mr.ENZler suggested it might be helpful for staff application reviewers to meet with the  
6 work group to review and discuss DSA's general policies regarding LEA acceptance.

7  
8 Mr. Shallenberger recommended that the committee focus on general policy issues rather  
9 than individual cases. He noted appropriate issues for the committee's consideration would  
10 be general policies regarding applicant qualifications, policy interpretations, policy  
11 applications, and the exam itself. Other committee members agreed. Participants  
12 concurred that individual appeals should go through the chain of command as part of a  
13 formal appeal process.

14  
15 Mr. Art Ross advocated that the DSA Advisory Board and its committees avoid involvement  
16 in the day-to-day duties of DSA and the staff. He expressed support for the concept of  
17 focusing instead on broad policy issues. Rather than having the Board consider appeals,  
18 Mr. Ross suggested that DSA utilize the expertise of the inspector association for advice on  
19 issues and disputes pertaining to the knowledge and experience requirements for  
20 inspectors.

21  
22 Mr. Hall agreed with Mr. Ross. He noted the people hearing appeals regarding inspector  
23 qualifications should be selected on the basis of their expertise.

24  
25 Mr. Shallenberger commented that some inspector candidates have difficulty presenting  
26 their qualifications on the application form. He said some special inspectors report having  
27 trouble documenting three years or 6,000 hours of inspection experience.

28  
29 Mr. David Karina stated that he has heard complaints from inspectors in the field that the  
30 information provided in the application does not reflect their actual inspection experience.  
31 He added that the problem lies with the people filling out the forms rather than the  
32 application itself because the application is quite clear.

33  
34 **Mr. Hall made a motion to recommend that the DSA Advisory Board draw from**  
35 **expertise in the discipline, such as the inspectors association, to form appeal**  
36 **panels.**

37  
38 Ms. Tarailo suggested referring this idea to the Policies and Procedures Committee for  
39 consideration.

40  
41 Ms. Gonos expressed concern that limiting the appeal panel to inspectors only might result  
42 in a too narrow perspective. She added that inspectors are likely to judge their peers by  
43 their own standards, which may or may not be high enough. Other committee members  
44 agreed.

45  
46 **Ms. Gonos proposed amending the motion to include inspectors on appeal panels,**  
47 **but not to limit the panel members to that group. Mr. Hall accepted the amendment.**  
48

49 Mr. Beyl noted the members of the DSA Advisory Board are well qualified in their  
50 disciplines, and he questioned the need to go to outside organizations for expertise. He  
51 expressed his opinion that it was appropriate for the Inspectors Committee to provide  
52 advice to the Board on inspector examinations, qualifications, and other issues pertaining

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1 to inspectors.

2 Mr. Jim Ward suggested that the committee focus its discussion on methods for handling  
3 complaints rather than arbitrating disputes. He noted work groups can develop  
4 recommendations for the committee to review and forward on to the full Board for  
5 consideration.

6  
7 **Mr. Hall withdrew his motion.**

8  
9 There was general consensus that details of the appeals process should be determined by  
10 the Policies and Procedures Committee.

11  
12 Mr. Shallenberger proposed that the committee offer its assistance to the DSA staff in  
13 terms of providing feedback on policy interpretation and implementation. He noted there  
14 are really two issues: providing advice to DSA on applicants, exams, and qualifications,  
15 and handling complaints.

16  
17 **Mr. Hall made a motion, seconded by Mr. Ward and Ms. Gonos, to separate the two**  
18 **issues. The motion was carried unanimously.**

19  
20 Mr. Hall asked how complaints are currently handled.

21  
22 Ms. Gonos observed that there are different kinds of complaints, some involving inspectors  
23 and the exams, and some from school districts regarding the performance of specific  
24 inspectors.

25  
26 Mr. Ross asked if handling complaints was a problem.

27  
28 Mr.ENZler said DSA receives complaints from applicants about inspector qualifications and  
29 exam issues, and these complaints are handled internally by DSA staff. He added that  
30 there have been no lawsuits or appeals on these issues to date. Mr.ENZler noted  
31 complaints about inspectors sometimes come from other inspector. Those complaints are  
32 passed along to the field engineer responsible for the project for resolution. He added that  
33 DSA field engineers are responsible for overseeing inspectors' actions on each specific  
34 project.

35  
36 Mr. Hall asked if DSA had written policies about these complaint-handling practices. Mr.  
37 ENZler said he was not sure if there were written policies.

38  
39 Mr. Ross commented that he personally signs every application for inspectors on school  
40 projects and directs their work, so he views the design professional as the person in charge  
41 of inspectors. He asked what kinds of complaints come from school districts.

42  
43 Ms. Gonos responded that districts sometimes have problems with the performance of  
44 particular IOR's. She cited the example of one inspector who was not taking notes and  
45 keeping proper records. Ms. Gonos added that building owners typically think the  
46 inspectors are working for them.

47  
48 Mr. Beyl commented that inspectors work for a number of bosses, including the architect or  
49 engineer of record, structural engineers, school districts, and DSA. Committee members  
50 discussed the inherent conflicts of interest among those people.

51  
52 Mr. Beyl commented that the DSA field engineer has no authority to force the architect or

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1 engineer to take action when there are problems on a project. He noted DSA has two  
2 options: threatening not to certify the project, or threatening to revoke the inspector's  
3 certification if the problems are not reported.

4  
5 Committee members agreed that the Inspector Committee should review the manner in  
6 which complaints are resolved.

7  
8 Mr. Ward suggested having the staff develop a policy statement explaining the current  
9 process and identifying key issues. He noted the committee needs to know how the  
10 process works before making recommendations for improvement. Ms. Tarailo proposed  
11 that Mr. Enzler provide a summary to committee members before the next meeting.

12  
13 Mr. Ross again questioned whether a problem exists with DSA's complaint-handling  
14 process.

15  
16 Mr. Ward said DSA field engineers sometimes visit sites and recommend changes, even  
17 though the plans have already been through design review and have been approved by a  
18 structural engineer. He noted this slows the process down, increases costs, and makes the  
19 inspector's job more difficult. Mr. Shallenberger observed that this problem is different from  
20 complaints about inspectors.

21  
22 Mr. Beyl commented that most inspectors know they are bound by Title 24 and the  
23 California Administrative Code. He said many complaints from inspectors pertain to the  
24 exam requirements and qualifications. He added that some applicants cannot write well, so  
25 they do poorly on written exams.

26  
27 Mr. Ward asked for information on the current complaint-handling process and existing  
28 policies. He noted DSA should have sufficient written policies to make the process as clear  
29 and objective as possible. Other committee members agreed.

30  
31 Mr. Enzler observed that the committee touched on three types of complaints: complaints  
32 from inspectors about the exam process, complaints regarding inspector performance, and  
33 complaints about field engineers making changes. He said he did not believe there was a  
34 problem with the way DSA handles the first type of complaint. Mr. Enzler noted field  
35 engineers handle problems regarding inspector performance. He advocated developing  
36 consistent guidelines for handling these kinds of complaints and written procedures that  
37 provide a mechanism for disciplinary action and enforcement. For complaints about field  
38 engineers, Mr. Enzler distinguished between changes ordered because of clear code  
39 violations and changes resulting from a field engineer's own ideas and subjective  
40 interpretations. He noted the only solution to such ambiguity would be for DSA to do a  
41 more thorough plan review.

42  
43 Mr. Beyl pointed out that the architect of record and structural engineer should be checking  
44 the project site and reviewing inspectors' reports on a regular basis. He said school  
45 districts also should make sure inspectors comply with their contracts.

46  
47 Mr. Enzler suggested that one of the committee's top priorities should be to help DSA  
48 create a written disciplinary procedure for inspectors. Ms. Tarailo noted the technical staff  
49 can draft a proposed policy for the committee's review.

50  
51 Mr. Hall recommended tabling this issue pending more information from the staff about  
52 DSA's existing complaint-handling process. Once that information is received, he noted,

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the committee can determine if there are problems and then identify appropriate solutions. **Mr. Ross made a motion, seconded by Mr. Ward, that the committee table this item until receiving the staff's report on problems with the current system and issues the committee can address.**

Mr. Ward proposed amending the motion to specify that the staff should provide the committee with information on DSA's current policies and procedures. Mr. Ross responded that the intent of the motion was to have the staff provide that type of information.

Mr. Enzler noted DSA currently has no procedure for disciplinary action against inspectors. Mr. Ross recommended including that point in the staff's report. Mr. Shallenberger observed that it would be helpful to know more about the existing complaint-handling process.

Ms. Tarailo suggested that the committee approve a motion directing the staff to prepare a summary of this information prior to the next meeting.

**Mr. Ross agreed that this direction to staff should be included in his motion. Mr. Ward accepted this amendment.**

**Mr. Ross restated his motion; he noted the committee is requesting a comprehensive report from the staff regarding the entire process of approval, implementation, and quality control in terms of how problems and complaints are handled so the committee can discuss issues that may improve the process. Ms. Gonos seconded the restated motion.**

Mr. Beyl asked if DSA has written disciplinary procedures for people involved in Title 24 projects other than inspectors. Mr. Ross clarified that he intended the motion to include that kind of information from the staff as well, and he requested this staff report by the next meeting.

**The motion was carried unanimously.**

### **VI. Criteria for Consultant to do Job Analysis of Project Inspector Duties**

Mr. Shallenberger noted Mr. Castellanos referred this issue to the committee. He said Mr. Castellanos proposes hiring a consultant to analyze project inspector duties so DSA can conduct better evaluations of potential inspectors, better tailor training and testing programs for inspectors, and identify potential changes to the inspection and field oversight program. Mr. Shallenberger suggested that the committee develop a list of items to be included in the request for proposals (RFP).

Ms. Gonos observed that it would make more sense to address this topic before dealing with how complaints are handled.

Mr. Ross agreed. He suggested dealing with this issue and the next agenda item, dealing with inspector duties, after hearing from the staff on DSA's current policies and procedures.

Mr. Enzler asked what type of consultant could do this kind of analysis. Mr. Shallenberger said Mr. Castellanos has identified several firms qualified to do this work. He noted the consultant would function like an efficiency expert, looking at the tasks to be done, identifying training needs, and then developing appropriate testing criteria.

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1 Mr. Shallenberger observed that this analysis is a key part of the long-term task of  
2 reviewing DSA's overall inspector program. He observed that it will take time to develop  
3 criteria for an RFP, select a consultant, and complete the task, so it may be a year or two  
4 before changes will be implemented.

5  
6 Mr. Beyl stated that the DSA Academy Committee felt that this work was beyond the  
7 committee's areas of expertise and recommended hiring a consultant to develop training  
8 programs.

9  
10 Mr. Shallenberger noted there is currently some uncertainty regarding the specific duties of  
11 a project inspector, so defining the duties would be an essential first step in this effort.

12  
13 Mr. Beyl commented that inspectors are responsible for everything from the soil to the paint  
14 on a building. Mr. Shallenberger added that report-writing is a major part of the inspectors'  
15 responsibilities.

16  
17 Mr. Hall said the fire service has been able to identify all the tasks individuals do in the field.

18  
19 Committee members welcomed Mr. Castellanos to the meeting. Mr. Castellanos  
20 introduced Mr. Conrad Lewis.

21  
22 Mr. Ward suggested focusing on the DSA requirements of life safety, structural issues, and  
23 access compliance as a starting point.

24  
25 Mr. Shallenberger noted that once all the individual tasks have been identified, DSA will be  
26 in a better position to assess training needs.

27  
28 Mr. Castellanos commented that DSA created the existing inspector program based on  
29 experience and intuition rather than a formal job assessment process. He observed that  
30 there is a broad range of competency within each class of inspectors, and the goal of  
31 training programs should be to ensure a basic level of competency on all tasks relevant to  
32 each class. He added that the primary purpose of DSA's inspector certification program is  
33 to protect the consumer and assure a minimum level of quality. In order to achieve that  
34 objective, DSA is now backtracking and looking at the specific tasks entailed in the job to  
35 make sure training programs adequately address those needs.

36  
37 Referring to the description of Item VI on the agenda, Mr. Ross said he was troubled by the  
38 use of the word "determine." He noted the committee is strictly an advisory group. He  
39 expressed his opinion that DSA should be the entity to "determine" the criteria.

40  
41 Mr. Ross asked about the possibility of resurrecting the Academy Committee. Mr.  
42 Castellanos explained that the committee became inactive due to the lack of resources. He  
43 added it may be possible to reactivate the committee at some time in the future.

44  
45 Mr.ENZler reported that DSA did some analysis of inspector duties as a way of validating  
46 the exam. He noted the State Personnel Board has the ability to conduct job assessments  
47 for state positions, so DSA might be able to contract with entity to analyze inspector duties.  
48 In addition, he said, there are entities such as Cooperative Personnel Services (CPS) that  
49 are qualified for this kind of work.

50  
51  
52 Mr. Shallenberger suggested that the committee focus on identifying items to be included in

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1 the RFP for consultants.

2  
3 Mr. Castellanos welcomed ideas and feedback from the committee regarding the current  
4 inspector program. He noted the committee includes representatives from school districts,  
5 the construction industry, and the inspector community. He said that once a consultant is  
6 brought on board, the Inspector Committee can serve as a focus group for identifying  
7 problems and proposing solutions pertaining to the application process, training and  
8 testing, and field oversight.

9  
10 Ms. Gonos informed Mr. Castellanos that in discussing Item V, the committee concluded it  
11 would be helpful to learn more about the current system before proposing any changes.  
12 She noted the committee will be in a better position to offer advice after hearing from the  
13 staff at the next meeting.

14  
15 Mr. Lewis expressed support for the approach proposed by the committee. He agreed it  
16 would be a good idea to learn more about what is currently being done in the field before  
17 moving on to discuss future needs and solutions.

18  
19 Mr. Castellanos noted the governor has established a California Performance Review team  
20 to look at how the state does business and identify ways of improving. As part of that  
21 effort, he said, DSA should expand its partnerships with school districts and the entire  
22 construction industry so their input can be considered in this process. Mr. Castellanos  
23 suggested focusing on the broad issue of how DSA can provide quality assurance for  
24 public schools in California to ensure safety. He recommended looking at possible  
25 improvements to the inspector program, changes in legislation, and best practices in the  
26 industry.

27  
28 Mr. Castellanos observed that recent bond issues have provided an unprecedented amount  
29 of funding for public schools in California, so DSA needs to rethink its existing way of doing  
30 business to handle the increased workload.

31  
32 Mr. Shallenberger asked committee members to identify and articulate their concerns about  
33 the DSA inspector program.

34  
35 Mr. Ross commented that a fundamental policy issue is the balance between safety and  
36 other objectives. He noted the Field Act protects both life safety and property, and DSA  
37 has interpreted that intent to mean a higher performance level should be expected of  
38 schools. On the other hand, school districts are worried about costs and budgets, so they  
39 need to have input as to the kinds of cost-benefit tradeoffs that need to be considered.

40  
41 Mr. Enzler commented that at the last meeting, the Inspector Committee discussed  
42 prioritizing inspector duties. He noted the Education Code says inspectors are responsible  
43 for all aspects of construction, but life safety is clearly more important than cosmetic issues  
44 like paint color and landscaping.

45  
46 Mr. Hall suggested looking first at the tasks mandated by law, then considering what else is  
47 required, and then identifying what else should be done.

48  
49 Mr. Enzler drew attention to IR A-7 and IR A-8, which define the duties of inspectors and  
50 assistant inspectors.

51  
52 Mr. Shallenberger recommended that DSA focus its training and testing on the highest



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1 priority tasks. He noted school districts may wish to add other duties over and above those  
2 mandated by law and regulation.

3  
4 Mr. Karina observed that the quality of inspection depends in large part on the class of  
5 inspector assigned to a particular project. He said he has seen a number of projects in  
6 Southern California where Class 3 and Class 4 project inspectors are running Class 1  
7 projects. He noted there are some certified inspection firms that farm out work, and many  
8 firms take advantage of the certified assistant program.

9  
10 Mr. Enzler reported that the staff frequently hears complaints that inspectors assigned to  
11 projects are hiring assistants to perform inspections without informing DSA. He noted  
12 having a standardized written disciplinary procedure for inspectors would help address this  
13 problem.

14  
15 Mr. Hall pointed out that a more fundamental problem is defining specifically to whom the  
16 inspector is accountable. He noted the committee earlier discussed the fact that inspectors  
17 work for four different parties, so lines of authority are sometimes unclear. Other  
18 committee members agreed.

19  
20 Mr. Karina said school districts are sometimes disappointed when actual inspector  
21 performance is less than what they would expect of a Class 1 or 2 inspector. He noted that  
22 the actions of a few inspectors affect the credibility of the entire program.

23  
24 Mr. Beyl observed that another big problem is the shortage of district structural engineers  
25 (DSE's). He complained that DSE's often fail to return phone calls and seldom visit job  
26 sites. He questioned how DSE's can evaluate an inspector's performance in those  
27 situations. Mr. Beyl added that projects are moving at a faster pace than ever, which  
28 exacerbates the problem.

29  
30 Mr. Shallenberger expressed concern about the lack of consistency from one DSA region  
31 to another and on the part of individual inspectors. He said the result is that design  
32 professionals and building owners are often uncertain as to what is expected of them. Mr.  
33 Shallenberger added that he would also like to get inspectors approved more quickly.

34  
35 Mr. Ward agreed that the shortage of DSE's is a major problem. He noted DSE's are  
36 spread so thin that they are unable to visit job sites very often. When they do arrive, he  
37 added, they sometimes raise issues that are already stale.

38  
39 Mr. Ward suggested it might make sense to have DSA certify Class 1 and Class 2  
40 inspectors only, and let school districts approve Class 3 and Class 4 inspectors.

41  
42 Ms. Gonos said she looked forward to hearing the staff's report on the overall DSA  
43 inspection program. She recommended clarifying inspector duties and reporting  
44 responsibilities. She added that her school district had complaints about a couple of  
45 inspectors who were lazy and unknowledgeable.

46  
47 Ms. Gonos expressed opposition to making school districts responsible for certifying  
48 inspectors. She pointed out that school district personnel are not qualified to make those  
49 judgments. She noted this kind of system would lead to even greater inconsistencies and  
50 other problems. Ms. Gonos added that a school district's primary mission is to teach  
51 students.

52 Mr. Shallenberger commented that there is a significant difference in inspectors' attitudes,

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1 depending on their backgrounds. He noted those who have come from OSHPD or DSA  
2 inspection programs are generally less lenient than those who are retired contractors.  
3

4 Committee members agreed it would be best to wait until hearing from the staff about the  
5 existing DSA inspection program before attempting to make recommendations.  
6

7 Mr. Ward noted the staff provided an informational packet to the Inspector Committee at  
8 the October 2, 2002 meeting in Costa Mesa, and he suggested using those materials as  
9 the basis for the staff's summary.  
10

11 Mr. Castellanos said the staff has been working on mapping existing DSA processes in an  
12 easy-to-understand graphic format. He offered to provide a graphic presentation for the  
13 committee at the next meeting.  
14

15 Mr. Castellanos commented that the new governor's examination of how state agencies are  
16 doing business should help clarify problems, identify marketplace issues, and promulgate  
17 best practices. He emphasized that the overall purpose of the inspector program is to  
18 ensure safe and accessible schools for California students. He suggested starting with that  
19 objective and working backward to define roles and improve the quality of construction.  
20

21 Mr. Castellanos noted that with passage of the latest school bond, DSA is forced to take a  
22 look at all of its operations to ensure maximum efficiency. He noted there are only 12  
23 DSE's now in California, and it will be impossible for that small number to oversee \$30  
24 billion in school construction projects. He recommended focusing on how DSA can do its  
25 job without adding more people.  
26

27 Mr. Ward expressed his opinion that DSA should not have to work within specific budget  
28 ceilings as other state agencies do. Mr. Castellanos agreed, but noted the state is currently  
29 going through a process of challenging old assumptions, regardless of funding sources. He  
30 said DSA's most serious issue now is workload, so the staff needs to find new ways of  
31 achieving DSA's objectives in spite of capacity constraints.  
32

33 Mr. Shallenberger proposed that the committee wait for the staff presentation at the next  
34 meeting before moving ahead with this agenda item. He asked Mr. Enzler and Mr. Lewis to  
35 work together to develop the summary.  
36

37 **Mr. Hall made a motion, seconded by Mr. Ward, to defer further discussion on Item VI**  
38 **until after hearing from the staff on DSA's current procedures. The motion was**  
39 **carried unanimously.**  
40

41 At 12:30 p.m., the committee recessed for lunch. Mr. Shallenberger reconvened the  
42 meeting at 1:15 p.m.  
43

### 44 **VII. Project Inspector Duties**

45 Mr. Shallenberger suggested tabling this item until after the staff presentation at the next  
46 meeting.  
47

48  
49  
50  
51 **Mr. Ward made a motion, seconded by Mr. Hall, that committee members review IR**  
52 **A-8 and be prepared to provide comments at the next meeting. The motion was**

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carried unanimously by all present.

### **VIII. Updating Inspector Examination Questions and Plan Sets**

Mr. Ward asked how exam questions and plan sets are currently being updated.

Mr.ENZler responded that the exam questions were updated to reflect the 2000 code changes. He noted it is more difficult to update plan sets because they are based on actual school projects, and staff has to spend considerable time making sure they are clear enough to produce precise answers to the questions asked. He said the staff has been considering various options, including getting CAD files from an architect. Mr.ENZler added that the current drawings are not compliant with access requirements. He encouraged the committee to brainstorm for ideas as to how to approach this problem.

Mr. Shallenberger asked if the same set of plans are being used over and over again. He expressed concern that unsuccessful exam candidates will be seeing the same plans when they retake the exam.

Mr.ENZler stated that there are two alternate plan sets for each exam class, except for Class 4. He said people taking the exam twice will see different sets of plans, but people retaking the exam several times would have an unfair advantage over other candidates. Mr.ENZler noted that exam takers are required to sign a statement promising that they will not divulge exam questions. However, DSA has been informed that people from the inspector associations are taking the exams and discussing the contents with others. He observed that the only solution would be to change the exam frequently.

Mr. Shallenberger asked how the exam questions were created. Mr.ENZler responded that the first exam was developed by several key staff people. He said DSA recently formed a committee of DSA field engineers statewide to provide update questions.

Mr. Beyl commented that updating the code portion of the exam should not be a difficult task. He noted the purpose of having plans included in the exam is to determine if candidates know how to read and interpret drawings.

Mr.ENZler said it is sometimes difficult to find sets of plans that address different types of buildings and a variety of construction materials, including masonry, steel, wood, and concrete.

Mr. Shallenberger suggested asking school districts to submit model plans that meet certain criteria. He noted DSA's in-house plan checkers also might be able to help find suitable plans.

Committee members discussed legal issues entailed in obtaining permission from design professionals and school districts to use specific plan sets. Mr. Ross observed that most architects copyright their drawings. Mr. Shallenberger noted that once documents are submitted to a public agency, they are considered part of the public record. He pointed out that asking permission would be a professional courtesy, although not legally required.

Ms. Tarailo suggested it might be prudent to create a standard release form for all plans submitted to DSA.

Mr. Hall asked what DSA plans to with the exam once NFPA 5000 becomes the state's model code. Mr.ENZler said the plan sets do not necessarily have to be drawn in

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1 accordance with current code. He emphasized that the purpose of including plan sets is to  
2 test candidates' ability to read and interpret construction drawings.

3  
4 Mr. Beyl asked which section of the exam was most difficult for applicants. Mr. Enzler  
5 replied that more people fail the plan reading section than the code part.

6  
7 Committee members discussed what inspectors in the field do when they find errors on the  
8 plans. Mr. Enzler explained that most inspectors contact the responsible architect or  
9 design professional when they spot inconsistencies or problems. He added that inspectors  
10 cannot be expected to recognize all errors; he noted plan reviewers have this responsibility.

11  
12 Mr. Ward commented that the first responsibility of an inspector is to make sure the work  
13 done on a project meets the approved plans and specifications. He said most inspectors  
14 limit their review to the piece of construction being done at the time of their visit.

15  
16 Mr. Enzler observed that good inspectors should anticipate the next phase of work, confer  
17 with the contractor, and ensure that material orders are correct and consistent with the  
18 architect's specifications. Mr. Hall disagreed, noting the inspector should not be placed in  
19 the role of supervising the job.

20  
21 Mr. Shallenberger said problems are more likely to occur on smaller projects or when  
22 several projects are assigned to a single inspector.

23  
24 Mr. Shallenberger suggested focusing again on the question of how exam questions and  
25 plan sets are updated. He proposed that committee members think about this issue and be  
26 prepared to discuss it in more detail at the next meeting. He encouraged the staff to ask  
27 architects and plan reviewers to look for plans that address specific criteria for exam  
28 purposes.

29  
30 Mr. Vester noted another possibility would be to request architects and engineers to take  
31 an existing set of plans and tailor them for use on inspector exams. Mr. Ward noted most  
32 professionals would probably want to be compensated for that work.

33  
34 Mr. Ward suggested an alternative would be to combine different sets of plans to create a  
35 model project that involves masonry, wood, and other types of construction.

36  
37 Mr. Ross pointed out that another option would be to provide one set of plans to address  
38 mechanical, electrical, and fire/life safety issues and another set for structural and  
39 architectural features.

40  
41 Mr. Beyl expressed his opinion that it would be preferable to use one complete set of plans  
42 for Class 1 exams. He noted this better emulates what inspectors will find in the real world.

43  
44 Mr. Shallenberger suggested discussing this topic further at the next meeting, and  
45 participants agreed.

### **INSPECTOR TRAINING ISSUES:**

#### **IX. Expanding and Improving the Inspector Training Program**

46  
47  
48  
49 Mr. Beyl asked about DSA's current inspector training program. Mr. Enzler replied that  
50 DSA provides classes for inspectors seeking recertification. He said inspectors are  
51 required to take two seminars and a recertification class every four years, which amounts to  
52

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1 a three-day commitment in a four-year period.

2  
3 Mr. Ross asked if DSA actually trains people to become inspectors. Mr. Enzler clarified  
4 that DSA provides continuing education for people who have already passed the exam. He  
5 added that inspector candidates must meet certain experience requirements in order to be  
6 eligible to take the exam.

7  
8 Mr. Beyl pointed out that the assistant inspector program is like an apprenticeship program  
9 for people interested in becoming inspectors. Through that program, he noted, people can  
10 gain experience and training from project inspectors.

11  
12 Mr. Ross asked if there are any community college programs for prospective inspectors.  
13 Mr. Enzler responded that he was aware of several community college programs offering  
14 classes for inspectors, but most are geared toward training people to pass the exam.

15  
16 Mr. Beyl said some community colleges have two-year degree programs in construction  
17 inspection, construction technology, and building inspection. He added that he would like  
18 to see an associate degree requirement in place for Class 1 inspectors by 2007 or 2008.

19  
20 Mr. Enzler commented that DSA might want to develop a program in the future with a  
21 strong on-the-job training component. Mr. Shallenberger noted the Academy Committee  
22 discussed both continuing education for inspectors and training for prospective inspectors.

23  
24 Mr. Enzler said there are inspection agencies that employ assistant inspectors and Class 3  
25 and Class 4 inspectors. He suggested that DSA might want to consider developing a  
26 certification program for inspection agencies so they can offer apprenticeship and  
27 mentoring programs. Meeting participants noted DSA would have to oversee these  
28 programs and provide some kind of enforcement mechanism.

29  
30 Mr. Enzler commented that having a well defined, written disciplinary procedure would be  
31 helpful. He advocated a progressive system, with the first step being a written notice,  
32 followed by a warning, and then, finally, loss of certification. He added that implementing  
33 this procedure a few times would have a positive effect on the rest of the community.

34  
35 Mr. Enzler acknowledged that imposing discipline that affects a person's livelihood could  
36 subject DSA to litigation. On the other hand, if DSA takes no action in response to  
37 problems, poor quality work is likely to continue.

38  
39 Mr. Beyl questioned why it is so easy for design professionals to remove an inspector,  
40 when it is difficult for DSA to reprimand or remove an inspector for incompetence or  
41 negligence. Mr. Enzler pointed out that most designers have shallower pockets than the  
42 state, so the threat of litigation is not as serious.

43  
44 Mr. Shallenberger observed that designers have the power to remove inspectors only from  
45 one job, while DSA needs to be concerned about several projects.

46  
47 Mr. Ward emphasized the need for written guidelines as a basis for applying discipline. He  
48 said problem inspectors should receive a written notice, a warning, and then be removed.

49  
50 Mr. Shallenberger suggested returning to the topic of inspector training. He noted  
51 discipline is a related issue, and both subjects need to be addressed after the committee  
52 hears from the staff about existing DSA programs.

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Mr. Ross questioned how inspector training can be expanded and improved if there is no training program. Mr. Shallenberger stated that DSA's training program consists of the seminars and recertification classes. Committee members observed that the existing program is really a continuing education program rather than a training program.

Mr. Hall noted DSA's current focus is recertification, not expanding the number of inspectors. He advocated finding ways of bringing new people into the inspection program.

Mr. Shallenberger recommended that DSA develop programs to prepare people for certified inspector exams.

Mr.ENZler noted there is already a hierarchy of five levels, ranging from assistant inspectors to Class 1, 2, 3, and 4 inspectors.

Mr. Shallenberger asked about current exam pass rates. Mr.ENZler responded that the pass rate varies considerably from exam to exam. Mr. Shallenberger suggested gearing the seminars toward preparing people for each level. He added that inspectors need to know much more than just the material on the tests.

Mr. Hall proposed that DSA develop training programs with a classroom phase and a practical application phase. Committee members agreed that skill and knowledge were both essential components.

Mr. Beyl commented that there are already many training programs available for prospective inspectors. He suggested focusing on the assistant inspector program as a way of providing hands-on experience. Other committee members agreed.

Mr. Ward recommended that DSA review existing training programs to determine if they satisfy DSA's certification criteria. He advocated making use of these existing resources.

Mr. Ward noted that people who successfully attend these schools can gain a basic understanding of construction techniques like welding, masonry, and concrete work that will help them enter the field of inspection.

Mr. Shallenberger suggested returning to this topic at the next meeting.

### **INSPECTOR CONSTRUCTION OVERSIGHT ISSUES:**

#### **X. Methods for Predicting DSA Construction Oversight Workload**

Mr. Shallenberger noted two of the prime indicators of DSA workload would be the availability of bond funds and the number of projects coming in to DSA. He said other factors like interest rates, the stock market, and the general business climate are also important.

Mr. Ward said he felt unqualified to assess DSA's workload. He added that DSA has the experience and knowledge to make those determinations.

Mr. Ward suggested that the committee focus not so much on predicting workload, but rather on what to do about it. Mr. Shallenberger noted the real question is how to find enough inspectors to do the work.

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Mr. Ward expressed his opinion that predicting workload was a DSA staff issue, not an Advisory Board or committee issue. He proposed moving on to the next item. Other committee members agreed.

### **XI. Review DSA Performance Criteria for Inspectors**

Mr. Hall observed that this item is closely tied to some of the earlier agenda items. He suggested deferring discussion of performance criteria until later.

### **XII. Methods for Handling Complaints regarding Inspectors**

Committee members agreed to wait for the staff presentation at the next meeting before discussing how complaints should be handled.

### **XIII. Draft Circular A-2 - Recognition of OSHPD Certified Inspectors**

Mr. Shallenberger drew attention to DSA Circular A-2. He said the circular proposes setting up a reciprocity system whereby OSHPD inspectors certified since 1997 can become DSA inspectors.

Mr. Ward asked if OSHPD has a formal inspector training program. Mr.ENZler responded that OSHPD provides seminars like those offered by DSA. OSHPD also works with ACIA to organize training sessions and staff presentations.

Mr. Shallenberger reported that he met with Mr. David Foley, chair of OSHPD's Inspector Committee, to discuss the possibility of creating a joint training and testing program for inspectors. Committee members agreed that combining forces with OSHPD sounds like a good idea for the future.

Mr. Shallenberger expressed his opinion that OSHPD needs to get its own house in order before engaging in joint ventures. Mr. Shallenberger noted that Mr. Karina commented on the way to lunch that many DSA inspectors believe OSHPD's post-1997 inspectors lack the requisite experience to handle DSA work.

Mr.ENZler stated that OSHPD and DSA have different experience requirements for inspectors. He said OSHPD's requirements are more stringent in some areas and more lenient in others. He noted OSHPD has only 186 Class A inspectors and 40 Class B inspectors, so their pool is quite small. In addition, OSHPD uses a different method of administrative processing and OSHPD inspectors typically sub out more special inspection work than DSA inspectors do.

Mr.ENZler drew attention to Section 3.1.3 of DSA Circular A-2, specifying that eligible OSHPD inspectors must meet DSA's experience requirements. He said some inspectors resent the idea that OSHPD inspectors would not have to go through the more rigorous DSA testing and certification process. He noted the release of Circular A-2 to the regional offices created quite a stir within the DSA inspector community.

Committee members discussed the differences between OSHPD projects and DSA projects. Mr. Ross pointed out that unlike schools, most hospitals in California are not wood frame buildings. Committee members agreed that this was a very significant difference.

Mr. Shallenberger observed that the idea of using OSHPD inspectors was one of the Advisory Board's suggestions for addressing the current shortage of inspectors. Committee members decided it would be worthwhile to consider some kind of a reciprocity

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1 arrangement, but with some refinements. Mr. Beyl suggested building in a probationary  
2 period, and other committee members expressed support for this approach.

3  
4 Committee members questioned how many current OSHPD inspectors would be eligible for  
5 DSA reciprocity. Mr.ENZler estimated that about half of the OSHPD Class A inspectors  
6 were already DSA-certified.

7  
8 Mr. Ward observed that a focused training program could help close the gaps already  
9 identified by the staff and committee members.

10  
11 Mr. Beyl expressed his opinion that OSHPD Class A inspectors are not equivalent to DSA  
12 Class 1 inspectors. After some deliberation, the committee concluded that OSHPD's Class  
13 A was probably equivalent to DSA's Class 2, and OSHPD's Class B would be equivalent to  
14 DSA's Class 3 or 4.

15  
16 **Mr. Ward made a motion, seconded by Mr. Beyl, to recommend to the Advisory**  
17 **Board that DSA accept OSHPD Class A inspectors as DSA Class 2 inspectors, and**  
18 **that OSHPD Class B inspectors be considered eligible for DSA Class 3 or Class 4**  
19 **certification. The motion was carried unanimously.**

20  
21 Committee members encouraged the staff to revise Circular A-2 accordingly and develop  
22 appropriate guidelines for use of OSHPD inspectors.

23  
24 Mr.ENZler thanked the committee for its input.

### **XIV. New Business/Next Meeting**

26  
27 The committee decided to schedule its next meeting at the Advisory Board meeting.

### **XV. Adjournment**

28  
29 There being no further business, the Inspector Committee meeting was adjourned at 3:05  
30 p.m.

31  
32  
33  
34 Respectfully Submitted,

35  
36  
37  
38  
39 John Vester  
40 Interim Executive Director